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United States Courts  
Southern District of Texas  
FILED

FEB 27 2023

Nathan Ochsner, Clerk of Court

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS

6 Tehum Care Services Inc.,  
7  
8 Petitioner,  
9

Case No.: 23-90086

MOTION TO TAKE LEAVE TO PROCEED WITH  
THE LITIGATION OF MEDLEY V. CORIZON  
FILED DECEMBER 20, 2020 IN THE MARICOPA  
COUNTY SUPERIOR COURT, PHOENIX, ARIZONA  
CV.2020-016257

(ASS. HON. CHRISTOPER LOPEZ)

12  
13 Laura L. Medley, hereby files this Motion to Take leave to Proceed with the Litigation of Medley V.  
14 Corizon Filed December 20, 2020 in the Maricopa County Superior Court, Phoenix, Arizona CV.2020-016257. The  
15 trial in this cause matter commenced on February 6, 2023. On February 13, 2023, while the jury was deliberating,  
16 the Court declared a mistrial, and dismissed the jury due to the Petitioner's filing for Chapter 11. (See Exhibit 1)  
17 Laura L. Medley, hereby moves this Court to grant her Motion to Take Leave to Proceed with the Litigation of  
18 Medley V. Corizon Filed December 20, 2020 in the Maricopa County Superior Court, Phoenix, Arizona CV.2020-  
19 016257.

20  
21 Respectfully submitted this 16<sup>th</sup> day of February 2023.

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Laura L. Medley

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MOTION TO TAKE LEAVE TO PROCEED WITH THE LITIGATION OF MEDLEY V. CORIZON FILED  
DECEMBER 20, 2020 IN THE MARICOPA COUNTY SUPERIOR COURT, PHOENIX, ARIZONA CV.2020-  
016257(ASS. HON. CHRISTOPER LOPEZ) - 1

1 Original mailed this 16<sup>th</sup> day of  
2 February of 2023 to:

3  
4 United States Bankruptcy Court  
5 Southern District of Texas  
6 515 Rusk Ave  
7 Houston, TX 77002

8  
9 Hon. Christopher Lopez  
10 515 Rusk Ave  
11 Houston, Texas 77002

12  
13 Copies mailed this 16<sup>th</sup> day of  
14 February 2023 to:

15  
16 Jason S. Brookner  
17 1300 Post Oak Blvd. Ste. 2000  
18 Houston. Texas, 77056

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27 2.

28 MOTION TO TAKE LEAVE TO PROCEED WITH THE LITIGATION OF MEDLEY V. CORIZON FILED  
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016257(ASS. HON. CHRISTOPER LOPEZ) - 2

**Exhibit 1**

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
02/16/2023 8:00 AM

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2020-016257

02/13/2023

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT  
A. Walker  
Deputy

LAURA L MEDLEY

LAURA L MEDLEY  
P O BOX 490  
MESA AZ 85211

v.

CORIZON HEALTH INC

ALYSSA ILLSLEY

CODY N CROSIER  
ANTHONY J FERNANDEZ  
D&C MATERIALS-CSC  
JUDGE HANNAH

TRIAL MINUTE ENTRY  
DAY FIVE (5)

1:30 p.m. LET THE RECORD REFLECT the Jury is all present in the jury room and resumes their deliberations from February 9, 2023.

East Court Building – Courtroom 811

2:19 p.m. Trial to a Jury continues from February 9, 2023. Plaintiff, Laura Medley, is present on her own behalf via the Court Connect platform. Defendant, Corizon Health, Inc., is represented by counsel, Anthony J. Fernandez and Alyssa Illsley.

Court Reporter, Luz Franco, is present. A record of the proceedings is also made digitally.

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The Jury is not present.

The Court informs Ms. Medley that Corizon Health, Inc. filed a Chapter 11 bankruptcy petition at 11:30 a.m. Central Standard Time today in US Bankruptcy Court for the Southern District of Texas, Houston division 23-90086.

Counsel informs the Court he is now representing the Bankruptcy Trustee and not Corizon Health, Inc. and requests that the case be stayed.

The Court proposes that the Jury deliberations cease, and the Court stand at recess until the Court receives further instruction from the Bankruptcy Trustee.

2:34 p.m. The Court stands at recess.

3:01 p.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Luz Franco, is present. A record of the proceedings is also made digitally.

The Jury is not present.

The Court informs the parties that the trial will be recessed, and the Jury will be admonished, and trial will resume once further instruction is received from the Bankruptcy Court.

The Court has received a note from the Jury. At the request of defense counsel, the contents of the note are not disclosed to the parties.

3:09 p.m. Counsel for defendant leaves the courtroom to contact the bankruptcy attorney for the defendant.

3:11 p.m. The Court stands at recess.

3:16 p.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Luz Franco, is present. A record of the proceedings is also made digitally.

The Jury is not present.

**IT IS ORDERED** directing the Clerk of the Court to seal Deliberating Jury Question, not to be opened without further order of the Court.

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FILED: Deliberating Jury Question

The Court declares a mistrial due to the defendant's bankruptcy.

3:20 p.m. The Jury enters the courtroom.

The Court informs the Jury that they are discharged. The Jury is released from the admonition and thanked for their service.

3:22 p.m. The Jury leaves the courtroom and Court remains in session.

**IT IS ORDERED** staying this case as required by the bankruptcy code. The Court declares a mistrial due to the defendant's bankruptcy.

FILED: Jury List, Trial Worksheet, Jury Deliberation Questions

**IT IS ORDERED** setting a virtual Status Conference on **February 27, 2023, at 8:30 a.m.** in this division.

HONORABLE JOHN HANNAH  
JUDICIAL OFFICER OF THE SUPERIOR COURT  
EAST COURT BUILDING  
COURTROOM 811  
101 W. JEFFERSON  
PHOENIX, AZ 85003  
(602) 372-0759

The Court is utilizing a virtual platform called Court Connect for online hearings. An auto-generated e-mail with a link to the online "courtroom" has been sent to local counsel of record, who should forward it to co-counsel, clients or client representatives, and others who will participate in the hearing. You may forward the link to anyone who wants to attend the hearing, but please advise the Court if you expect more than a few spectators so that we can make any technical adjustments that may be necessary. If for some reason you did not receive the e-mail, please advise the Court. The hearing may also be joined using the following link: [tinyurl.com/jbazmc-cvj07](https://tinyurl.com/jbazmc-cvj07); or appearances may be made by telephone, by calling 1-917-781-4590, conference ID 759-563-74#. For further information, please visit: <https://superiorcourt.maricopa.gov/court-connect/>

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The physical courtroom (Courtroom 811, East Court Building, 101 W, Jefferson, Phoenix, AZ) is open and accessible for most hearings. Attorneys and parties may choose to appear in person; and spectators are always welcome in the courtroom at public hearings. If an in-person appearance at a scheduled online hearing is anticipated, we ask as a courtesy that you let us know in advance so we can ensure that the appearance is accommodated.

This is a **15-minute proceeding**. The Court will determine if more time is needed. If there is a failure to appear, the Court may make such orders as are just, including granting the relief requested by the party who does appear.

NOTE: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

3:25 p.m. Trial concludes.

LATER:

There being no non-prevailing party against whom Jury fees should be assessed,

**IT IS ORDERED** that Maricopa County shall be responsible for payment of jury fees in the amount of \$1,356.96.

Pursuant to a mistrial being declared, and there being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of Court, and pursuant to the notice provided in minute entry dated November 10, 2022,

LET THE RECORD REFLECT that plaintiff's exhibit number 2 and defendant's exhibit numbers 4-10, 12, 13, 15-22, and 24-84 are disposed.

The Arizona Constitution requires the Arizona Commission on Judicial Performance Review to conduct performance evaluations of superior court judges. The Commission is asking for your help to evaluate Maricopa County Superior Court judges currently undergoing performance review. After your hearing, if the judge you are in front of is undergoing review, a survey will either be given to you by court staff or will be emailed to you and you can take the survey online. The survey is conducted by the Docking Institute of Public Affairs at Fort Hays State University and is anonymous and confidential. Your participation in the review process is

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important! More information on Judicial Performance Review can be found at [www.azjudges.info](http://www.azjudges.info).

La Constitución de Arizona exige que la Comisión de la Evaluación del Desempeño Judicial realice evaluaciones de desempeño de los jueces de los tribunales superiores. La comisión pide su ayuda para evaluar a los jueces del Tribunal Superior del Condado de Maricopa a quienes actualmente se les está evaluando su desempeño. Después de su audiencia, si el juez frente a usted está siendo revisado, el personal de la corte le entregará una encuesta o se le enviará por correo electrónico y usted puede realizar la encuesta en línea. La encuesta es realizada por el Docking Institute of Public Affairs de la Fort Hays State University y se mantiene anónima y confidencial. ¡Su participación en el proceso de la evaluación es importante! Para obtener más información sobre la evaluación del desempeño judicial, diríjase a [www.azjudges.info](http://www.azjudges.info).